

THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.21939 of 2007

Between:

Bathala Venkatamma and others.

... Petitioner

and

The Collector and District Magistrate,
Kadapa and others.

... Respondents

THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.21939 of 2007

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ORDER:

It is the case of the petitioners that each of them has been allotted house site pattas on 25-06-1994 for the land admeasuring Ac.0-03 cents each in Sy.No.1023 situated at Madakalavaripalli village, Gopavaram Mandal, Kadapa District. As per the said assignment orders, the petitioners have to construct houses within one year and all of them have constructed houses and some of the houses have been collapsed in the recent cyclone and they have not violated any terms and conditions of the house site pattas. While so, the respondents are threatening to dispossess the petitioners from the plots in question without following due process of law. Therefore, they filed this writ petition declaring the action of the respondents in dispossessing the petitioners from their respective plots, without following due process of law, as illegal and arbitrary.

On a perusal of the material available on record goes to show that the petitioners have not made any protest or any representation about the alleged dispossession of the petitioners, without following due process of law.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the respondents not to dispossess the petitioners from the plots in question, without following due process of law, if no final orders have been passed as on today. However, if any final orders

have been passed, the respondents shall serve copy of the said final orders to the petitioners, so as to enable them to question the same. There shall be no order as to costs.

12-10-2007

Note:

Issue C.C. in three days

(B/o)

Prv